

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

BNSF RAILWAY COMPANY,
a Delaware corporation,

Plaintiff,

VS.

EPCO CARBONDIOXIDE
PRODUCTS, INC.,

Defendant.

4:05CV3084

MEMORANDUM AND ORDER

The court has been advised that the parties in the above-captioned matter have reached a settlement of their claims. Accordingly,

IT IS ORDERED that:

(1) Within **sixty (60)** calendar days of the date of this order, the parties shall file a joint stipulation for dismissal (or other dispositive stipulation) with the clerk of the court (and provide a copy to the magistrate judge and to United States District Judge Richard G. Kopf, the trial judge to whom this case is assigned), together with submitting to the trial judge a draft order which will fully dispose of the case;

(2) Absent compliance with this order, this case (including all counterclaims and the like) may be dismissed without further notice;

(3) This case is removed from the court's January 17, 2006 trial docket upon representation by the parties that the case has settled.

January 9, 2006

BY THE COURT:

s/ Richard G. Kopf
United States District Judge